

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Judy Lynette White,

Plaintiff,

vs.

Truluck Enterprises, Inc., TruColor
Printing, Mailing, Document Services,
J. Ray Truluck, Jr., and Gary William
Southern,

Defendants.

Civil Action No. 6:09-1370-HFF-WMC

REPORT OF MAGISTRATE JUDGE

This matter is before the court on the motions to dismiss of defendants Truluck Enterprises Inc. d/b/a TruColor and J. Ray Truluck, Jr. (docs. 9, 10). Pursuant to the provisions of Title 28, United States Code, Section 636(b)(1)(A), and Local Rule 73.02(B)(2)(g), D.S.C., all pretrial matters in employment discrimination cases are referred to a United States Magistrate Judge for consideration.

The plaintiff is a former employee of TruColor. She alleges that a manager sexually harassed her and she was retaliated against. She alleges four causes of action against these two defendants: gender/sexual discrimination and sexual harassment, assault and battery, retaliation, and negligent hiring, retention, and supervision.

The defendants have moved to dismiss all four causes of action against them. In her response, the plaintiff, who is represented by counsel, states that she plans to file an amended complaint that "will cure all meritorious objections made by the defendant[s]" (pl. opp. m. to dismiss 8). Based upon the foregoing, the defendants' motions to dismiss (doc. 9, 10) should be denied without prejudice to the right of any defendant to file such motions addressed to the amended complaint (or to the original complaint if the plaintiff does not amend by the deadline). The deadline for filing an amended complaint, as set forth in the scheduling order, is August 3, 2009.

IT IS SO RECOMMENDED.

June 24, 2009
Greenville, South Carolina

s/William M. Catoe
United States Magistrate Judge